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WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA for the use and
benefit of WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS, and WEBCOR
CONSTRUCTION, INC. dba WEBCOR
BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture; DICK
CORPORATION; THE MORGANTI GROUP;
AMERICAN CASUALTY COMPANY OF
READING, PENNSYLVANIA; NATIONAL
UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA; and DOES 1-10, inclusive,

Defendants.

AND RELATED THIRD-PARTY ACTIONS AND
CROSS-ACTIONS

CASE NO. 3:07-CV-02564-CRB

**WEBCOR CONSTRUCTION'S STATUS
UPDATE RE: STAY OF PROCEEDINGS**

Date: January 30, 2008
Time: 4:00 p.m.
Dept.: Courtroom 8
Judge: Hon. Charles R. Breyer

At the last Case Status Conference the Court dissolved the Stay with respect to Webcor's claims for payment of retention and base contract amounts, as well as in relation to Change Order Nos. 63, 64 and 65. Defendants were further Ordered to Answer Webcor's claims in this regard by no later than January 19, 2008.

1 With respect to Webcor Change Order Nos. 61 and 62, Dick/Morganti agreed to immediately
2 certify and pass these claims through for payment to the GSA upon receipt of a Certification from
3 Webcor stating that the costs identified in the Change Orders were true and accurate and currently due
4 and owing to Webcor. Webcor provided said certification to DMJV on January 15, 2007. See Exhibit
5 "A" hereto.

6 If Dick/Morganti has failed to certify and pass Webcor's Change Order Nos. 61 and 62 through
7 to the GSA by the date of the next Status Conference, then Webcor respectfully requests that the Court
8 lift the Stay in relation to these two Change Orders.

9
10 Dated: January 15, 2008

BOWLES & VERNA LLP

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12 By: 

13 KENNETH G. JONES
14 Attorneys for Plaintiff
15 WEBCOR CONSTRUCTION, INC.
16 dba WEBCOR BUILDERS
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Kenneth G. Jones	Brian D. Horwitz
Charles S. Goldman	Michael P. Connolly
Kenneth B. McKenzie	Steven P. McFarlane
	Veronica Ann O. Benigno

January 15, 2008

Via Fax and Mail
(415) 575-9930

Patrick S. Hallinan
Law Offices of Hallinan & Wine
345 Franklin Street
San Francisco, California 94102

Re: Webcor/Dick-Morganti

Dear Mr. Hallinan:

Attached please find Webcor's certification for Change Orders Nos. 61 and 62. As you can see, the certification complies, verbatim, with what you represented to the Court was needed for DMJV to immediately pass these claims through to the GSA. Please have DMJV immediately certify these Change Order Nos. 61 and 62 and submit them to the GSA. Also, please copy me on DMJV's certification and the transmittal of the claims to the GSA.

Please take notice that if, by the close of business on January 18, 2008, we have not received confirmation that DMJV has certified these claims and passed them on to the GSA, then we will ask the Court to allow Webcor to move forward with litigating these Change Orders at the next status conference.

Please do not hesitate to call if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ken Jones".

KENNETH G. JONES

Encl.

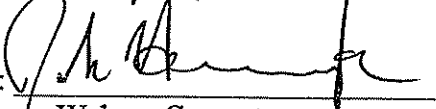
cc: Joel Heusinger

EXHIBIT A

Certification of Claim

I certify, under penalty of perjury, that Webcor's claim for additional compensation as embodied in COR Nos. 61 & 62 on the GSA Project No. NCA 00049 is made in good faith; that the supporting data are accurate and complete to the best of my knowledge and belief; that the amount requested accurately reflects the contract adjustment for which the contractor believes Dick Morganti is liable; and that I am duly authorized to certify the claim on behalf of the contractor."

Dated: 1/14/08

By: 
Webcor Concrete